

Municipal Clerk
Atlanta, Georgia

04-O-1820

A SUBSTITUTE ORDINANCE BY:
ZONING COMMITTEE

Z-04-121

AN ORDINANCE TO REZONE CERTAIN PROPERTIES WITHIN THE CHESHIRE BRIDGE ROAD CORRIDOR FROM THE R-3 (SINGLE-FAMILY RESIDENTIAL), RG-3-C (RESIDENTIAL GENERAL-CONDITIONAL), C-1 (COMMUNITY BUSINESS), C-2 (COMMERCIAL SERVICE), I-1 (LIGHT INDUSTRIAL) DISTRICTS TO THE MR-2 (MULTI-FAMILY RESIDENTIAL), MR-3-C (MULTI-FAMILY RESIDENTIAL - CONDITIONAL), MRC-1-C (MIXED RESIDENTIAL COMMERCIAL-CONDITIONAL), MRC-2 (MIXED RESIDENTIAL COMMERCIAL), AND MRC-2-C (MIXED RESIDENTIAL COMMERCIAL-CONDITIONAL) DISTRICTS, AND FOR OTHER PURPOSES.

NPU-F

COUNCIL DISTRICT 6

WHEREAS, the Cheshire Bridge Road Study was adopted by City Council on September 21, 1999, and approved by the Mayor on September 30, 1999; and

WHEREAS, recommendations from the Cheshire Bridge Road Corridor Study should be implemented through the rezoning of the properties within the corridor, and

WHEREAS, the Cheshire Bridge Road Task Force has requested the City to rezone the Cheshire Bridge Road corridor to implement the recommendations from the Cheshire Bridge Road Study; and

WHEREAS, the official zoning maps should be amended to include the properties along the Cheshire Bridge Road corridor as shown on "Attachment A".

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: That the 1982 City of Atlanta Zoning Ordinance be amended and the official zoning maps established in connection therewith be changed to include the properties located along the Cheshire Bridge Road Corridor with the designations as shown on "Attachment A".

SECTION 2: This amendment is approved under the provisions of Section 16-02.003 of the City of Atlanta Zoning Ordinance entitled "Conditional Development" as identified with the use of the suffix "C" after the district designation. The Director of the Bureau of

Buildings shall issue building permits for the development of the properties with said "Conditional Development" zoning district designation only in compliance with the following conditions:

- 1) For properties with the MR-3-C district designations: Along Cheshire Bridge Road the street furniture and tree planting zone shall be landscaped except where on-street parking is provided, and shall have a minimum width of ten (10) feet adjacent to curb. On-street parking may be placed in the street furniture zoned, provided that street trees are installed in bulb-outs located at intervals within the area used for on-street parking, as approved by the Bureau of Planning.
- 2) For properties in the MRC-2-C North district designation:
 - a. Along Cheshire Bridge Road the street furniture and tree planting zone shall be landscaped except where on-street parking is provided, and shall have a minimum width of ten (10) feet adjacent to curb. On-street parking may be placed in the street furniture zoned, provided that street trees are installed in bulb-outs located at intervals within the area used for on-street parking, as approved by the Bureau of Planning.
 - b. A non-residential Floor Area Ratio (FAR) shall not exceed two (2) times the net lot area.
 - c. Security storage centers shall not exceed 15,000 square feet in floor area and shall having all pickup and delivery items by passenger automobile or van.
 - d. Truck stops are prohibited.
- 3) For properties with the MRC-1-C district designation:
 - a. Along Cheshire Bridge Road the street furniture and tree planting zone shall be landscaped except where on-street parking is provided, and shall have a minimum width of ten (10) feet adjacent to curb. On-street parking may be placed in the street furniture zoned, provided that street trees are installed in bulb-outs located at intervals within the area used for on-street parking, as approved by the Bureau of Planning.
 - b. Drive-through service windows and drive-in facilities are prohibited.
 - c. The following uses shall not exceed two thousand (2,000) square feet of floor area:
 - i. Bakeries and catering establishments.
 - ii. Laundry and dry-cleaning stores, collection stations or plants; laundry and dry cleaning establishments where customers operate equipment.
 - iii. Tailoring, custom dressmaking, millinery and similar establishments.
 - d. The following uses shall not exceed eight thousand (8,000) square feet of floor area:
 - i. Banks, savings and loan associations, and similar financial institutions.
 - ii. Barber shops, beauty shops, manicure shops and similar personal service establishments.
 - iii. Childcare centers, kindergartens and special schools.
 - iv. Clubs and lodges.
 - v. Commercial greenhouses.

- vi. Commercial recreation establishments including theaters, convention halls, places of assembly and similar uses with primary activities conducted within fully enclosed buildings.
- vii. Eating and drinking establishments including restaurants, bars, coffee shops, delicatessens, and taverns.
- viii. Museums, art galleries, libraries, and similar profit or non-profit cultural facilities.
- ix. Offices, studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals. Veterinary clinics including all kennels and accessory areas shall be enclosed within sound proof buildings when located within three hundred (300) feet of any residential use from the closest point of the nearest residential building to the closest point of the veterinary clinic, subject to the provisions in Chapter 74, Article IV, Noise Control.
- x. Photocopying or blueprinting shops.
- xi. Plumbing, air conditioning service and repair.
- xii. Professional or service establishments, but not hiring halls.
- xiii. Retail establishments.
- xiv. Sales and repair establishments for home appliances, bicycles, lawn mowers, shoes, clocks and similar household goods.
- xv. Security storage centers with all pickup and delivery items by passenger automobile or van.
- e. Grocery stores shall not exceed fifteen thousand (15,000) square feet of floor area.
- f. The following uses shall require a Special Use Permit:
 - i. Bowling alleys, pool halls, billiard parlors and amusement arcades.
 - ii. Childcare centers, kindergartens and special schools greater than eight thousand (8,000) square feet.
 - iii. Public schools or private schools having similar academic curricula and special schools for exceptional children.
- g. The following uses are prohibited:
 - i. Automobile service stations, car washes.
 - ii. Business or commercial schools.
 - iii. Helicopter landing facilities or pickup delivery stations.
 - iv. Hospitals
 - v. Institutions of higher learning, including colleges and universities.
 - vi. Mortuary and funeral homes.
 - vii. New and used car sales, including motorized vehicles such as mopeds and motorcycles.
 - viii. Repair garages, paint and body shops.
 - ix. Truck stops.

4) For properties in the MRC-2-C South district designation:

- a. Security storage centers shall not exceed 15,000 square feet in floor area and shall having all pickup and delivery items by passenger automobile or van.
- b. Truck stops are prohibited.

Section 3: That all ordinances or parts of ordinances in conflict with this ordinance shall be repealed.

**Cheshire Bridge Road Corridor Rezoning
Summary of Changes for proposed Substitute Ordinance
Z-04-121**

The proposed substitute includes the following changes:

- Placing conditions on the MRC-2 properties (located at the southern end of Cheshire Bridge Road with frontage on or near Piedmont Road) to include the following language:
 - 4) For properties in the MRC-2-C South district designation:
 - a. Security storage centers shall not exceed 15,000 square feet in floor area and shall having all pickup and delivery items by passenger automobile or van.
 - b. Truck stops are prohibited.
- Distinguishing between both MRC-2-C districts by adding the following terms for both areas "MRC-2-C North" and MRC-2-C South".
- Substituting the map to identify the two MRC-2-C districts.

These conditions are necessary in order to protect the integrity of the commercial node with appropriate land uses that are consistent with the Cheshire Bridge Road Study recommendations.